REMARKS

This is a complete response to the Final Office Action mailed on February 28, 2011. Applicant appreciates the Examiner's review of the present application and requests reconsideration in view of the preceding amendments and the following remarks. Applicant also appreciates be courteous interview granted to Applicant and his representative on August 10, 2011. Claims 1-10 and 12 were previously pending in this application. By this amendment, claims 1, 2, 3 and 6 have been amended. As a result, claims 1-10 and 12 are pending for examination with claims 1 and 6 being independent claims. No new matter has been added.

Claim Rejections - 35 USC §103

The Examiner has rejected claims 1-3 and 6-10 as being unpatentable over Datta in view of Manik and Vainio. Applicant traverses this rejection. As discussed with the Examiner during the telephonic interview, the present invention is directed to a method of creating a network wherein the intelligence required to transmit and receive packets is distributed among a plurality of

terminals (various data communication devices) on a local area
network. According to the present invention, a first plurality of
terminals each including packet routings software are connected
together by means of a 1st communication path forming a local area
network. Some but not necessarily all of the terminals made in
have a 2nd communication path comprising and associated wide area
network connection directly to the Internet. At least a 1st one of
the active terminals having a direct wide-area network connection
to the Internet that is different from a 2nd direct wide-area
network connection to the Internet of a 2nd one of the active
terminals.

In this manner, not all of the active terminals need to have
a connection to the wide-area network for that active terminal to
be able to send in receive data over the wide-area network cured
secondly, the methodology and topology claimed and disclosed by
the present invention allows the active terminals which are
connected together over a local area network to send data by
splitting the data into a number of packets and sending the
packets over the local area network to one or more other active
terminals which have a connection to the Internet. Those
terminals having a connection to the Internet transmit the packets

using the Internet to at least a reconstitution server which will reassemble the packets into the original request and transmitted to the intended recipient. The system and method operated in the same manner albeit in reverse when receiving packets from the Internet.

As Applicant pointed out to the Examiner during the Examiner interview, and as the Examiner understood, the primary reference to Datta discloses the use of a central controller 202, figures 2 and 3, that handles all of the traffic from the local area network 106 to the wide-area network 114. The controller 202 then multiplexes any data coming from the local area network 106 to the routers 110 and ultimately the Internet 114. The controller 202 becomes not only the bottleneck in the prior art system but also becomes a single point of failure which can completely incapacitate and make inoperative the system disclosed by the prior art.

In contrast, the system and method claimed and disclosed by the present invention does not have such a single point of failure between the terminals or nodes 110 and the wide-area network 200 as shown in figure 1. Utilizing the system and method recited in the claims, as presently amended, each terminal 110 includes

appropriate packet routing software to allow an active terminal to communicate by means of a 1st communication have being a local area network connection 115 to 1 or more other terminals 100. Next, some but not necessarily all of the terminals will have a direct connection 122 the wide-area network 200. Some of the terminals such as terminal 110e may not even have and do not in fact need a direct connection to the Internet but rather, will utilize the connection of one or more other terminals to the Internet to transmit and receive data from the Internet.

CONCLUSION

Accordingly, Applicant believes that the prior art of record does not make obvious the claims, as presently amended, and as discussed with the Examiner during the Examiner into the cured

A Notice of Allowance is respectfully requested. The Examiner is requested to call the undersigned at the telephone number listed below if this communication does not place the case in condition for allowance.
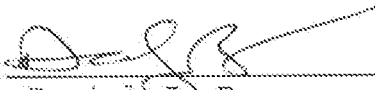
If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a

fee occasioned by this response, including an extension fee, the Director is hereby authorized to charge any deficiency or credit any overpayment in the fees filed, asserted to be filed or which should have been filed herewith to our Deposit Account Number 02-3285, under Docket Number DUMMETT-043XX.

Respectfully submitted,

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